

## **REMARKS**

By this paper, claims 32, 36, 66-75, 79-82, 87, and 88 are amended, no claims are added, and claim 63 is cancelled without prejudice and without disclaimer. Accordingly, claims 32, 35-43, 58-62, and 64-88 are all of the pending claims. Support for the amendments presented above is provided throughout the specification and claims as originally filed. Applicants expressly reserve the right to prosecute the subject matter of the unamended and/or cancelled claims, or any other subject matter supported by the Specification, in one or more continuation applications. In view of the foregoing amendments and the following remarks, reconsideration and allowance of all the pending claims is anticipated.

### ***Examiner Interview***

Applicants thank the Examiner for the courtesy extended Applicants' Representative in the Examiner Interview conducted December 14, 2009. Although no final agreement was reached, the Examiner indicated preliminarily that the amendments to claim 32 presented above would distinguish the invention recited in claim 32 over the cited references.

### ***Claim Rejections – 35 USC § 112***

Claim 32 currently stands rejected under 35 U.S.C. § 112, second paragraph, as allegedly failing to set forth subject matter which Applicants regard as their invention. Without acknowledging the propriety of this rejection, Applicants have amended claim 32. Based on the amendments to claim 32 presented above, this rejection is believed to be moot.

### ***Claim Rejections – 35 USC § 103***

Claims 32, 35-38, 58-73, and 75-85 currently stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,006,252 to Wolfe ("Wolfe") in view of U.S. Patent No. 6,369,840 to Barnett et al. ("Barnett"); claim 74 currently stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Wolfe in view of Barnett, and in further view of U.S. Patent No. 6,268,856 to Bruck et

al. (“Bruck”); and claims 39-43 and 86-88 currently stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Barnett in view of Wolfe. Applicants traverse these rejections at least on the following grounds.

## I. Claim 32 And Its Dependent Claims

The rejections of claim 32 and its dependent claims should be withdrawn at least because the Examiner has failed to show that the references teach or suggest all of the features of the claimed invention. For example, claim 32 has been amended to recite *inter alia* the following features, which are not taught or suggested in the cited sections of Wolfe and/or Barnett:

...wherein the networked information monitor template comprises:

(1) frame characteristics that define one or more aspects of a visual appearance of a frame for a graphical user interface associated with the networked information monitor, wherein the one or more aspects of the visual appearance of the frame comprise one or more of a size of the frame, a shape of the frame, a position of the frame on an electronic display, or a color of the frame....

In the Office Action, the Examiner alleges that the inclusion of a “title bar” (shown in FIGS. 3 and 4 of Wolfe as element 308) in a browser window 306 teaches the “frame characteristics” recited in claim 32. However, the “frame characteristics” recited in claim 32 “define one or more aspects of a visual appearance of a frame..., wherein the one or more aspects of the visual appearance of the frame comprise one or more of a size of the frame, a shape of the frame, a position of the frame on an electronic display, or a color of the frame.” By contrast, the information displayed in the “title bar” of browser window 306 includes a title specified by the web page, and a server from which the web page was obtained, but does not dictate the size of browser window 306, a shape of browser window 306, a position of browser window 36 on an electronic display, or a color of the frame of browser window 36. As such, the sections of Wolfe relied on by the Examiner do not teach or suggest the features of claim 32 reproduced above. For at least this reason, the rejection of claim 32 based on the cited sections of Wolfe and Barnett should be withdrawn.

Claims 35-38, 58-62, and 64-85 depend from claim 32. As such, the rejections of

claims 35-38, 58-62, and 64-85 under § 103 should be withdrawn due to the dependency of these claims, as well as for the features that they recite individually.

## II. Claim 39 And Its Dependent Claims.

The rejection of claim 39 and its dependent claims should be withdrawn at least because the cited sections of Barnett and Wolfe do not teach or suggest all of the features of the claimed invention. For example, claim 39 recites *inter alia* the following features, which are not taught or suggested in the cited portions of Barnett and/or Wolfe:

...the server device, in response to the request, retrieving data that is programmed in a format readable by a Web browser program that has native controls enabling a user to manually navigate the network, the data comprising content data to be displayed by the client device-resident application in a graphical user interface rendered by the client device-resident application on the client device to be displayed on the client device separately and discretely from any graphical user interface associated with a Web browser program that has native controls enabling a user to manually navigate the network, and a definition that defines at least in part a functionality and an appearance of the graphical user interface rendered by the client device-resident application....

The Examiner acknowledges that Barnett does not teach or suggest these features [the Office Action, pp. 21-22]. However, the Examiner alleges that Wolfe addresses these deficiencies of Barnett. In particular, the Examiner alleges that FIG. 3 of Wolfe shows a browser window 306 of a browser that does not have native controls that enable a user to manually navigate the network [p. 23]. As can be seen in FIG. 3 of Wolfe (reproduced below), browser window 306 is configured to display documents such as web pages.

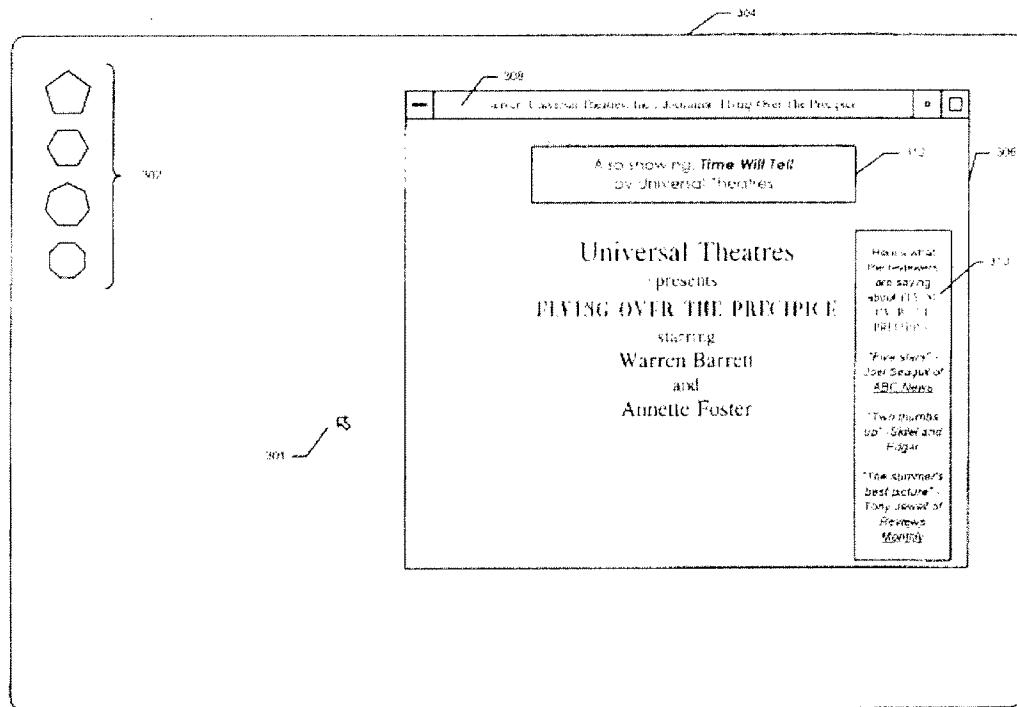


Figure 3

The Examiner contends that “[t]he graphical user interface window 306 is a browser that does not have native controls that enable a user to manually navigate the network” without providing evidentiary support of this position. It is not apparent from the cited sections of Wolfe that the browser associated with window 306 does not have native controls. For example, Wolfe discloses that the browser application associated with window 306 is for document retrieval, browsing, and/or viewing information or resources retrieved over a network [c. 4, ll. 15-20]. The title area 308 of the graphical user interface identifies the document title and hosting server of the web page currently being displayed in 306 [c. 4, ll. 20-22]. Wolfe analogizes the document title and hosting server with a uniform resource locator [id.]. Web browser programs, like the one associated with window 306 generally enable a uniform resource locator, or a server/document title to be manually entered to request a specific web page. For example, users can manually enter a uniform resource locator, or a server/document title in an area similar to title area 308 to manually request the specific web page. As such, native features of the application associated with window 306, such as title area 308, enable users to control navigation of a network. Therefore, the browser window

306 is a “graphical user interface associated with a Web browser program that has native controls enabling a user to manually navigate [a] network.”

Therefore, reliance by the Examiner on browser window 306 for a teaching of the acknowledged deficiency of Barnett is erroneous because the Examiner has failed to provide an affirmative teaching in Wolfe that the web browser associated with browser window 306 does not include the recited “native controls.” For at least this reason the rejection of claim 39 should be withdrawn. Further, claims 40-43 and 86-88 depend from claim 39. As such, the rejection of claims 40-43 and 86-88 based on the proposed combination of Barnett and Wolfe should be withdrawn due to the dependency of these claims, as well as for the features that they recite individually.

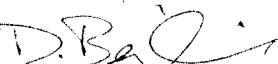
## **CONCLUSION**

Having addressed each of the foregoing objections and rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is anticipated.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Date: January 4, 2010 \_\_\_\_\_ Respectfully submitted,

By:

  
D. Benjamin Esplin  
Reg. No. 58,297

**Customer No. 00909**

PILLSBURY WINTHROP SHAW PITTMAN LLP  
1650 Tysons Boulevard  
McLean, Virginia 22102  
619-234-5000